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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

10 WILSONIS AYALA-VILLANUEVA,  
11 Petitioner,  
12 v.  
13 ERIC H. HOLDER, JR., *et al.*,  
14 Respondents.

Case No. 2:09-CV-01272-KJD-PAL

## ORDER

Presently before the Court is Respondents' Unopposed Motion to Dismiss for Lack of Jurisdiction (#103). On July 15, 2009, the Ninth Circuit Court of Appeals transferred the present petition to this court pursuant to 8 U.S.C. § 1252(b)(5) for a hearing to determine Petitioner's claim that he was a United States' citizen. However, on August 23, 2011, after discovery and shortly before an evidentiary hearing, the United States Citizenship and Immigration Services ("USCIS") reopened and granted Ayala-Villanueva's Form N-600 Application for Certificate of Citizenship. As a result, on October 19, 2011, the Board of Immigration Appeals reopened and terminated Ayala-Villanueva's removal proceedings. The Ninth Circuit then dismissed Ayala-Villanueva's petition for review on November 22, 2011. The Government has now moved to dismiss the petition for lack of jurisdiction and Petitioner's counsel does not oppose that motion.

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1 Accordingly, IT IS HEREBY ORDERED that Respondents' Unopposed Motion to Dismiss  
2 for Lack of Jurisdiction (#103) is **GRANTED**.

3 DATED this 12<sup>th</sup> day of December 2011.

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7 Kent J. Dawson  
United States District Judge

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